

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DAVID E. KAPLAN, et al., Individually and on
Behalf of All Others Similarly Situated,

Plaintiffs,

- against -

S.A.C. CAPITAL ADVISORS, L.P., et al.,

Defendants.
-----X

No. 12 Civ. 9350 (VM) (KNF)

ECF CASE

BIRMINGHAM RETIREMENT AND RELIEF
SYSTEM, et al., Individually and on Behalf of All
Others Similarly Situated,

Plaintiffs,

- against -

S.A.C. CAPITAL ADVISORS, L.P., et al.,

Defendants.
-----X

No. 13 Civ. 2459 (VM) (KNF)

ECF CASE

**DECLARATION OF ETHAN D. WOHL IN OPPOSITION TO
SAC'S MOTION TO DISMISS PLAINTIFFS' RICO CLAIMS**

ETHAN D. WOHL, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am a member of the law firm of Wohl & Fruchter LLP and a member of the Bar of this Court and submit this declaration in opposition to SAC's Motion to Dismiss Plaintiffs' RICO Claims, dated September 22, 2014 [ECF No. 164].

2. Attached hereto as Exhibit A is a true and correct copy of the Plea Agreement, dated November 1, 2013, in *United States v. S.A.C. Capital Advisors, L.P.*, No. 13 Cr. 541 (LTS).

3. Attached hereto as Exhibit B is a true and correct copy of a letter, dated August 1, 2014, from Daniel Kramer to Ethan Wohl.

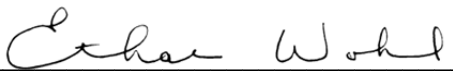
4. Attached hereto as Exhibit C is a true and correct copy of a letter, dated August 5, 2014, from Ethan Wohl to Daniel Kramer.

5. Attached hereto as Exhibit D is a true and correct copy of the Government's Sentencing Memorandum filed April 3, 2014 in *United States v. S.A.C. Capital Advisors, L.P.*, No. 13 Cr. 541 (LTS) [ECF No. 30].

6. Attached hereto as Exhibit E is a true and correct copy of the Indictment filed December 21, 2012 in *United States v. Martoma*, No. 12 Cr. 973 (PGG) [ECF No. 7].

I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: New York, New York
October 14, 2014



Ethan D. Wohl